

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to  
All Cases

**THE BOEING COMPANY'S FIFTH STATUS REPORT**  
**ON REMAINING INDIVIDUAL ACTIONS**

Boeing hereby provides an updated report on the number and status of the remaining individual actions.

As previously reported, more than 90% of the claims arising from the tragic Lion Air flight JT610 flight have been settled. Boeing appreciates the assistance of the mediator, Judge Donald O'Connell, in reaching these settlements. As described in Boeing's previous status reports, Boeing continues to engage in good-faith negotiations through Judge O'Connell on the claims that have not yet been settled. In the last two months, the parties have continued to make progress in finalizing the settlements that were previously agreed upon in principle. Several of the remaining claims have been mediated but have not yet settled. Other remaining claims are scheduled for mediation in January and Boeing respectfully requests that the Court continue to stay the litigation through February 2021 and allow the parties to continue to engage in mediations and settlement discussions.

**Background**

The Plaintiffs and Boeing committed at the outset to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court adopted the parties' proposal and struck all pending deadlines in the litigation to allow the

settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims, including using virtual mediations due to the COVID-19 pandemic.

### **Status of Individual Actions**

Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

<b>By Action</b>	
Dismissed	67
Expected to be Dismissed	11
Remaining	9
<b>Total</b>	<b>87</b>

<b>By Decedent</b>	
Fully Settled	168
Partially Settled	6
Fully Unsettled	12
<b>Total</b>	<b>186</b>

To date, 87 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 186 different decedents out of the 189 people

who were on board the accident aircraft.<sup>1</sup> Of the 186 claims filed in this Court, 174 have fully or partially settled and are at various stages of being finalized, as discussed below.

The claims relating to 132 decedents have been settled and fully dismissed, either as a result of a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 67 of the 87 actions filed so far, leaving 20 individual actions that are currently open. A list of those 20 actions follows below. The 20 open actions involve claims on behalf of 54 different decedents.

Of the claims for 54 decedents in the open actions, the plaintiffs and Boeing have fully or partially settled the claims for 42 of those decedents.<sup>2</sup> These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that the dismissal of these claims will include the full dismissal of 11 of the 20 currently open actions. Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining filed claims that have not yet settled.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 175 claims have fully or partially settled. This total includes one claim that settled prior to suit being filed. Boeing has not been presented with claims for two of the decedents on the aircraft.

**List of Currently Open Actions**

CASE NO.	CASE NAME
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company

<sup>1</sup> Although the claims relating to some decedents have been included in multiple, separate actions, there are 186 different, unique decedents represented in the cases filed to date.

<sup>2</sup> A dispute has arisen with regard to two claims that appeared to settle at a mediation in February. While Boeing was informed that plaintiffs' counsel had full client authority to settle those claims, Boeing has subsequently been advised that those plaintiffs are not presently willing to finalize the settlements. Boeing does not expect to bring a motion to enforce the apparent settlements, and the settlement offers extended to those plaintiffs remain open.

<b>CASE NO.</b>	<b>CASE NAME</b>
1:19-cv-00797	Kurniawati v. The Boeing Company
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01588	Ellisa v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-01623	Pranata v. The Boeing Company
1:19-cv-01701	Wijaya, et al. v. The Boeing Company
1:19-cv-02764	Oktaviani, et al. v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-02919	Rosanna Simarmata, et al. v. The Boeing Company
1:19-cv-03415	Soegiyono v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-05311	Soegiyono v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-04137	Suryati v. The Boeing Company
1:20-cv-05498	Sethi v. The Boeing Company
1:20-cv-05773	Khan v. The Boeing Company
1:20-cv-06380	Rejeki et al. v. The Boeing Company

### **Conclusion**

Pursuant to the mediation process approved by the Court and with the assistance of Judge O’Connell, the parties have made remarkable progress in resolving these claims. Several of the remaining claims have been mediated but have not yet settled. Other remaining cases are

scheduled for mediation in January. Boeing, therefore, believes that additional claims will be resolved through further negotiations and mediations. Boeing respectfully requests that the Court continue to stay the litigation through February 2021 and allow the parties to continue to engage in mediations.

DATED: December 23, 2020

**THE BOEING COMPANY**

By: /s/ Mack H. Shultz, Jr. \_\_\_\_\_

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### **CERTIFICATE OF SERVICE**

I, Mack H. Shultz, Jr., certify that on December 23, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 23rd day of December 2020.

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